REMARKS

This is a full and timely response to the Office Action mailed March 17, 2010.

By this Amendment, claim 1 has been amended to put the claims in allowable form based on Applicant's telephone interviews with the Examiner. Thus, claims 1-13 are currently pending in this application.

In view of these amendments, Applicant believes that all pending claims are in condition for allowance. Reexamination and reconsideration in light of the above amendments and the following remarks is respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1-6 and 9-10 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Gaw et al. (U.S. Patent No. 6,311,903 B1) in view of Coffee et al. (U.S. Patent No. 4,962,885) further in view of Garcia et al. (U.S. Patent No. 6,460,781 B1). Further, claim 2 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Gaw et al. (U.S. Patent No. 6,311,903 B1) in view of Coffee et al. (U.S. Patent No. 4,962,885) further in view of Garcia et al. (U.S. Patent No. 6,460,781 B1), and further in view of Coffee et al. (U.S. Patent No. 6,595,208 B1). Lastly, claims 7-8 and 11-12 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Gaw et al. (U.S. Patent No. 6,311,903 B1) in view of Coffee et al. (U.S. Patent No. 4,962,885) further in view of Garcia et al. (U.S. Patent No. 6,460,781 B1) and further in view of Hartle (U.S. Patent No. 5,725,161). Applicant respectfully traverses these rejections.

To establish an obviousness rejection under 35 U.S.C. §103(a), four factual inquiries must be examined. The four factual inquiries include (a) determining the scope and contents of the prior art; (b) ascertaining the differences between the prior art and the claims in issue; (c) resolving the level of ordinary skill in the pertinent art; and (d) evaluating evidence of secondary consideration. *Graham v. John Deere*, 383 U.S. 1, 17-18 (1966). In view of these four factors, the analysis supporting a rejection under 35 U.S.C. §103(a) should be made explicit, and should "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *KSR Int'l. Co. v. Telefex, Inc.*, 127 S. Ct. 1727, 82 USPQ2d 1385, 1396 (2007). Further, the Federal Circuit has stated that "rejections on

obviousness cannot be sustained with mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006). Finally, even if the prior art may be combined, there must be a reasonable expectation of success, and the reference or references, when combined, must disclose or suggest all of the claim limitations. *See in re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Here, in this case, Applicant submits that the cited references, in the combinations set forth by the Examiner, fail to teach or suggest all the claim limitations with particular emphasis on the limitations "*wherein the device further comprises a field electrode surrounding the reservoir, said field electrode being connected to the high voltage generator*," and "*wherein the emitter electrode and the field electrode provide the entire liquid composition with more or less a common electric potential.*" Applicant notes that such a configuration as presented in the foregoing claim amendments has been deemed by the Examiner to be sufficient to overcome the prior art of record and place the present application in condition for allowance.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of claim 1. Claims 2-13 depend directly or indirectly from claim 1 and are allowable at least for this reason. Since none of the other prior art of record discloses or suggests all the features of the claimed invention, Applicant respectfully submits that independent claim 1, and all the claims that depend therefrom, be deemed allowable.

Applicant also wishes to take this opportunity to extend his appreciation to the Examiner for his courtesy and consideration during the personal and telephone interviews over the past few months.

CONCLUSION

For the foregoing reasons, all the claims now pending in the present application are believed to be clearly patentable over the outstanding rejections. Accordingly, favorable reconsideration of the claims in light of the above remarks is courteously solicited. If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

Dated: May 4, 2010

Respectfully submitted,

By: _____

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